

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

KEITH RUSSELL JUDD §  
VS. § CIVIL ACTION NO. 1:08cv4  
FEDERAL ELECTION COMMISSION §

MEMORANDUM OPINION REGARDING VENUE

Plaintiff Keith Russell Judd, an inmate confined in the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, brings this action against the Federal Election Commission pursuant to the Federal Election Campaign Act, 2 U.S.C. § 431, *et seq.*<sup>1</sup> Plaintiff asserts various constitutional challenges to the Act.

The above-styled action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636 and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to the United States Magistrate Judge for findings of fact, conclusions of law, and recommendations for the disposition of the case.

Pending before the court is plaintiff's motion to transfer this action to the United States District Court for the District of Columbia (docket entry no. 9).

Analysis

Section 403 of the Bipartisan Campaign Reform Act, 2 U.S.C. § 437h, provides special rules for actions challenging the constitutionality of any of the Act's provision. *See McConnell v.*

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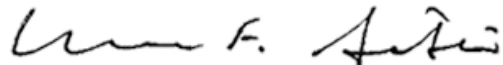
<sup>1</sup> The Bipartisan Campaign Reform Act of 2002 (BCRA) amended the Federal Election Campaign Act of 1971 (FECA), the Communications Act of 1934, and other portions of the United States Code.

*Federal Election Commission*, 540 U.S. 93, 132 (2003). Section 403 requires actions challenging the constitutionality of any of the Act's provisions to be filed in the District Court for the District of Columbia and heard by a three-judge court. Thus, venue is proper in the United States District Court for the District of Columbia. *Id.*; *Davis v. Federal Election Commission*, 501 F. Supp.2d 22, 27 (D.C. 2007).

When venue is not proper, the court "shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought." 28 U.S.C. § 1406(a). This case should be transferred to the United States District Court for the District of Columbia. Accordingly, it is

**ORDERED** that plaintiff's motion to transfer this action to the District of Columbia is **GRANTED**. An appropriate order so providing will be entered by the undersigned.

**SIGNED** this 25 day of April, 2008.



KEITH F. GIBLIN  
UNITED STATES MAGISTRATE JUDGE